

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11771-RGS

CHARLES WILKERSON

v.

COMMONWEALTH OF MASSACHUSETTS and  
DANIEL F. CONLEY

ORDER ON MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

July 12, 2005

STEARNS, D.J.

Because I agree with Magistrate Judge Bowler that the petition fails to satisfy either the statute of limitations imposed by the Antiterrorism and Effective Death Penalty Act of 1996, 28 U.S. C. § 2244(d)(1), or the more general “in custody” requirement of the law governing habeas corpus, I will adopt the Recommendations and dismiss the writ with prejudice.

SO ORDERED.

/s/ Richard G. Stearns

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UNITED STATES DISTRICT JUDGE